

#3
FORMALITIES LETTER



OC00000005092294


**UNITED STATES DEPARTMENT OF COMMERCE
 Patent and Trademark Office**

 Address: COMMISSIONER OF PATENT AND TRADEMARKS
 Washington, D.C. 20231

#B

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/534,814	03/22/2000	Duane Charles Gates	2328-023 RI

 Allan M. Lowe
 Lowe Hauptman Gopstein Gilman & Berner, LLP
 1700 Diagonal Road, Suite 310
 Alexandria, VA 22314


RECEIVED

MAY 09 2000

Lowe, Hauptman, Gopstein & Berner

Date Mailed: 05/03/2000

NOTICE TO FILE MISSING PARTS OF REISSUE APPLICATION
Filing Date Granted

An application number and filing date have been accorded to this reissue application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$1038.
 - \$648 for 36 total claims over 20.
 - \$390 for 5 independent claims over 3 .
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- **The balance due by applicant is \$ 1728.**

A copy of this notice MUST be returned with the reply.

 Customer Service Center
 Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

07/19/2000 CVORACHA 00000035 09534814

01 FC:101	690.00 OP
02 FC:103	324.00 OP
03 FC:102	312.00 OP

#3
Docket No.: 23328-023RI

SECTOR
\$
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :
Duane C. GATES : BOX MISSING PARTS
Serial No. 09/534,814 : APPLICATIONS BRANCH
Filed: March 22, 2000 :
For: SEGMENTED COIL FOR GENERATING PLASMA IN PLASMA PROCESSING EQUIPMENT

RESPONSE TO NOTICE TO FILE
MISSING PARTS OF REISSUE APPLICATION

Assistant Commissioner for Patents
Washington D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Reissue Application dated May 3, 2000, submitted herewith are the following documents for filing in the above-referenced application:

1. Combined Declaration and Power of Attorney in Reissue Application (which is in compliance with 37 CFR 1.63)
2. Statutory Basic filing fee of \$690.00;
3. Additional total claim fee of \$324.00 (18 extra total claims)*;
4. Additional independent claim fee of \$312.00 (4 extra independent claims)**;
5. Petition for Extension of Time fee of \$110.00 (one month).

*The Notice to File Missing Parts of Reissue Application incorrectly calculates the number of additional total claims. The Notice states that applicant owes for "36 total claims over 20." The *Manual of Patent Examining Procedure*, §1415, states "The reissue applicant is permitted to present every claim that was issued in the original patent for the basic filing fee." Additionally, the *Manual* states "...the filing...of each claim in excess of 20, and also in excess of the number of claims in the

original patent, requires a fee." The reissue application contains 56 total claims. The original patent contained 38 claims. Therefore, applicant is paying \$324.00 herewith for 18 additional total claims in excess of 38.

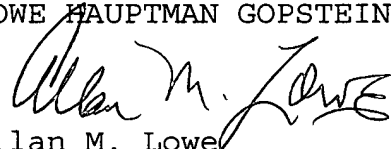
**The Notice to File Missing Parts of Reissue Application incorrectly calculates the number of additional independent claims. The Notice states that applicant owes for "5 independent claims over 3." The *Manual of Patent Examining Procedure* §1415 states, "...the filing...of each independent claim...in excess of the number of independent claims in the original patent requires a fee." The reissue application contains 8 independent claims. The original patent contained 4 independent claims. Therefore, applicant is paying \$312.00 herewith for 4 additional independent claims in excess of 4.

Check No. 4061 in the amount of \$1,436.00 is enclosed. To the extent necessary, Applicant petitions for an extension of time under 37 C.F.R. 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayments to Deposit Account 07-1337.

It is requested that the official filing receipt now be issued.

Respectfully submitted,

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Date: July 18, 2000